

REMARKS

Claims 1 - 15 were pending in this application.

Claims 1 – 15 were rejected.

Claims 1-6 and 9-13 are amended.

I. 35 USC 102 Rejections

The Examiner has rejected Claims 1-3, 5-10 and 12-15 under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,905,246 to Fajkowski.

The rejected claims contain two independent claims, which are Claim 1 and Claim 6. Claim 1 and Claim 6 have been amended and are believed to be fully distinguishable over the cited prior art combination for the reasons presented below.

Claim 1

Claim 1 sets forth a paperless method of posting and redeeming coupons. In accordance with the claimed method, registered manufacturers post electronic coupons in a database that is accessible through an Internet website. Registered customers are provided with an account that provides them access to the posted electronic coupons. Using the website, a consumer can select various electronic coupons. The selected electronic coupons are added to an electronic account assigned to that consumer.

It is important to note that the method utilizes electronic coupons. The coupons never physically exist and are never printed on paper. The only place that the electronic coupons can ever be viewed is on the access website.

To redeem the electronic coupons, a consumer shops in a retail store. Upon check out, the consumer provides the retail store with an account number. The retail store creates a telecommunications link with the database. Information about electronic coupons in the consumer's account is forwarded to the retailer. The retailer honors the coupon as if it were a traditional paper coupon.

This method of posting, selecting and redeeming electronic coupons is unique and is not taught or suggested by the prior art references cited by the Examiner.

The Fajkowski patent discloses a system for converting paper coupons into an electronic format. The Fajkowski patent utilizes complex electronic assemblies that are referred to as “coupon cards” in the patent. The coupon card contains a microprocessor (25), a memory (23), an LCD screen (3) and an optical scanner (10). It will therefore be understood that the ‘coupon cards’ of the Fajkowski patent are very much like laptop computers.

Consumers buy the complex coupon card assemblies. Using the optical scanner contained within the coupon card assembly, a consumer optical scans and stores traditional printed coupons. (See Fajkowski, column 8, lines 33-36, and Column 11, second paragraph). The information is stored in the memory of the coupon card assembly. When a consumer is checking out, the coupon card assembly is directly linked to the cash register. The scanned coupons are download and are then credited. (See Fajkowski, column 15, second paragraph).

The present invention being claimed is a paperless system where coupons never need to be printed and then scanned into a computer. Rather, the coupons are electronically generated, electronically selected and electronically redeemed. This system is not disclosed by the cited Fajkowski patent. More specifically, as applied to the wording of Claim 1, the Fajkowski patent fails to disclose

“providing a website where said registered manufacturers post electronic coupons and said registered consumers select from said electronic coupons, wherein said electronic coupons selected by said registered consumers are assigned to consumer accounts for those consumers in said database”

In the Fajkowski patent, there is no disclosure of the use of a website where manufactures post electronic coupons. Rather, it clearly states in the Fajkowski patent that printed coupons (paper coupons) are scanned into the coupon card assemblies. Furthermore, since the printed coupons are scanned into electronic format, the Fajkowski patent makes no disclosure of customers selecting electronic coupons through an internet website.

In the arguments of the Examiner’s Office Action, the Examiner states that the use of the

Internet is disclosed in the Fajkowski patent. The Examiner cites Fajkowski, column 6, second paragraph as proof. This section of the Fajkowski patent states that coupons can be download from the internet "*via the disk drive of a conventional computer.*" See Fajkowski, column 6, lines 22-23. In other words, a coupon scanned into a conventional computer can be sent as an attachment to the coupon card assembly. The coupon need not be scanned directly into the coupon card assembly.

It is known that scanned files can be sent as attachments over the internet from one computer to another. However, the Fajkowski patent makes absolutely no disclosure of a website where electronic coupons are posted and then can be electronically selected. The Fajkowski patent therefore fails to disclose the method step being claimed.

Since a website containing posted electronic coupons is claimed in Claim 1, it is clear that the Fajkowski patent fails to anticipate the matter set forth in Claim 1. It is therefore respectfully requested that the Examiner withdraw the 35 USC 102 rejections as applied to Claim 1 and its dependent claims.

Claim 6

Claim 6 sets forth a method of posting, selecting and redeeming electronic coupons. Claim 6 specifically claims the method step of

"providing a website where manufacturers post electronic coupons and consumers select posted electronic coupons;"

As has been previously stated, in the Fajkowski patent there is no disclosure of the use of a website where manufactures post electronic coupons. Rather, it clearly states in the Fajkowski patent that printed coupons (paper coupons) are scanned into the coupon card assemblies. Furthermore, since the printed coupons are scanned into electronic format, the Fajkowski patent makes no disclosure of customers selecting electronic coupons through an internet website.

Since this matter is claimed in Claim 6, it is clear that the Fajkowski patent fails to anticipate the matter set forth in Claim 6. It is therefore respectfully requested that the Examiner withdraw the 35 USC 102 rejections as applied to Claim 6 and its dependent claims.

III. 35 USC 103 Rejections

Claims 4 and 11 were rejected under 35 USC 103(a) as being unpatentable over Fajkowski.

Claim 4 depends from independent Claim 1. Claim 11 depends from independent Claim 6. The matter of Claim 1 and Claim 6 are distinguishable over the Fajkowski for the reasons previously presented.

Claim 4 and 11 include the substep of charging a manufacturer for posting electronic coupons on the database. The Fajkowski patent does not disclose this step because in the Fajkowski system, manufactures do not post electronic coupons. All coupons are standard printed coupons that are later scanned into a computer.

Claims 4 and 11 are therefore believed to stand in condition for allowance since they depend from and further define allowable base claims.

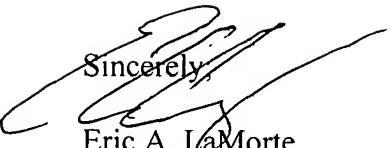
III. SUMMARY

Having distinguished the pending patents from all cited references, the Applicant believes that the current application stands in condition for allowance. If the Examiner disagrees, the Examiner is welcome to call the applicant's attorney so that matters can be discussed and settled without the need of another formal action.

The applicant would like to thank the Examiner for his/her attention to this matter.

IV. FEES

If for any reason fees are due for this application, the USPTO is authorized to charge deposit account no. 50-1954.



Sincerely,

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